

Adopted	Rejected
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COMMITTEE REPORT

YES:	26
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1826, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, after line 17, begin a new paragraph and insert:
- 2 **"Sec. 2. As used in this chapter, "felony" means a crime that**
- 3 **would qualify as a felony if committed by an individual."**
- 4 Page 2, line 1, delete "2." and insert "3."
- 5 Page 2, line 1, delete "a" and insert **"the following:"**.
- 6 Page 2, delete lines 2 through 7, begin a new line block indented
- 7 and insert:
- 8 **"(1) An exemption granted under IC 6-1.1-10-29 (out-of-state**
- 9 **manufactured property exemption).**
- 10 **(2) A deduction granted under IC 6-1.1-12-41 (local option**
- 11 **inventory deduction).**
- 12 **(3) A deduction granted under IC 6-1.1-12-42 (statewide**
- 13 **inventory deduction).**
- 14 **(4) A deduction granted under IC 6-1.1-12.1 (tax abatement).**
- 15 **(5) Tax increment revenues (as defined in IC 12-19-1.5-7) in**

an allocation area (as defined in IC 12-19-1.5-1) to the extent the tax increment revenues were not pledged, with the approval of the governing body (as defined in IC 12-19-1.5-3) to pay an obligation (as defined in IC 12-19-1.5-4).".

Page 2, line 8, delete "3." and insert "4.".

Page 2, line 10, delete ":" and insert "commits a felony under the laws of Indiana or the United States if:

(1) an act that is an element of the felony occurred in Indiana at a location, related to sales, involving an investment, using employees, or involving a business enterprise that accrued a tax benefit; and

(2) the corporation is later convicted of the felony in a court with criminal jurisdiction over the crime.".

Page 2, delete lines 11 through 19.

Page 2, line 30, after "liability." insert "However, an action to collect a delinquent tax and any related interest and penalties resulting from the application of this section must be initiated not later than three (3) years after the date that the corporation's conviction is final and unappealable.".

Page 2, delete lines 36 through 42.

Page 3, delete lines 1 through 30.

Page 3, line 32, delete "sections 3 and" and insert "section".

Page 3, line 34, delete "sections 3 and" and insert "section".

Page 3, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-12.1-4.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 4.8. (a) This section applies to any deduction application that is filed with the county auditor or the department of local government finance after the date required for the deduction application.**

(b) After June 30, 2003, the county auditor and department of local government finance may accept the late filed deduction application if the designating body granting the deduction adopts a resolution that authorizes the acceptance of the deduction application.

(c) A certified copy of the resolution must accompany the late filed deduction application.

(d) The late filing of a deduction application results in a

1 reduction of the deduction as follows:

2 (1) Two percent (2%) if filed less than thirty (30) days after
3 the date required by law.

4 (2) Ten percent (10%) if filed thirty (30) or more days after
5 the date required by law."

6 Page 4, between lines 14 and 15, begin a new paragraph and insert:

7 "Sec. 1. As used in this chapter, "felony" means a crime that
8 would qualify as a felony if committed by an individual."

9 Page 4, line 15, delete "1." and insert "2."

10 Page 4, line 15, delete "a" and insert "the following:"

11 Page 4, delete lines 16 through 19, begin a new line block indented
12 and insert:

13 "(1) Research expense credit under IC 6-3.1-4.

14 (2) Investment credit under IC 6-3.1-5.

15 (3) Enterprise zone interest credit under IC 6-3.1-7.

16 (4) Enterprise zone investment cost credit under IC 6-3.1-10.

17 (5) Industrial recovery tax credit under IC 6-3.1-11.

18 (6) Military base recovery tax credit under IC 6-3.1-11.5.

19 (7) Economic development for a growing economy tax credit
20 under IC 6-3.1-13.

21 (8) Capital investment tax credit under IC 6-3.1-13.5.

22 (9) Indiana riverboat building credit under IC 6-3.1-17.

23 (10) Rerefined lubrication oil facility credit under
24 IC 6-3.1-22.2.

25 (11) Voluntary remediation tax credit under IC 6-3.1-23."

26 Page 4, line 20, delete "2." and insert "3."

27 Page 4, line 22, delete ":" and insert "commits a felony under the
28 laws of Indiana or the United States if:

29 (1) an act that is an element of the felony occurred in Indiana
30 at a location, related to sales, involving an investment, using
31 employees, or involving a business enterprise that accrued a
32 tax benefit; and

33 (2) the corporation is later convicted of the felony in a court
34 with criminal jurisdiction over the crime."

35 Page 4, delete lines 23 through 31.

36 Page 4, line 42, after "liability." insert "However, an action to
37 collect a delinquent tax and any related interest and penalties
38 resulting from the application of this section must be initiated not

1 **later than three (3) years after the date that the corporation's**
 2 **conviction is final and unappealable."**

3 Page 5, delete lines 6 through 40.

4 Page 5, line 42, delete "sections 2 and" and insert "**section**".

5 Page 6, line 2, delete "sections 2 and" and insert "**section**".

6 Page 6, line 9, after "(a)" insert " **Subject to subsection (c),**".

7 Page 6, line 11, delete "June 30," and insert "**December 31,**".

8 Page 6, line 12, after "(b)" insert " **Subject to subsection (c),**".

9 Page 6, after line 13, begin a new paragraph and insert:

10 "**(c) IC 6-1.1-2.5 and IC 6-3.1-1.5, both as added by this act, do**
 11 **not apply to the following:**

12 **(1) Felonies committed before January 1, 2004.**

13 **(2) A multiyear tax benefit (as defined in IC 6-1.1-2.5 and**
 14 **IC 6-3.1-1.5, both as added by this act), if receipt of the tax**
 15 **benefits was conditioned on an agreement entered into before**
 16 **January 1, 2004, by the taxpayer and a governmental entity."**

17 Renumber all SECTIONS consecutively.

(Reference is to HB 1826 as introduced.)

and when so amended that said bill do pass.

Representative Crawford